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5 UNITED STATES DISTRICT COURT
6 NORTHERN DISTRICT OF CALIFORNIA

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8 SOMRAJ SINGH, *et al.*, No. C-13-4958 EMC
9 Plaintiffs,

10 v.
11 ERIC H. HOLDER, JR., *et al.*,
12 Defendants.

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15 ORDER ADOPTING REPORT AND
16 RECOMMENDATION
17 (Docket No. 11)

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19 Previously, Judge Spero granted Plaintiffs' application to proceed in forma pauperis. *See*
20 Docket No. 10 (order). Judge Spero then reviewed Plaintiff's petition pursuant to 28 U.S.C. § 1915
21 and prepared a report recommending that this Court order service of the complaint on Defendants
22 because, although there was one deficiency in the complaint, "[i]n all other respects," the complaint
23 was sufficient to survive § 1915 review. Docket No. 11 (R&R at 14). In a footnote, however, Judge
24 Spero noted that service by the U.S. Marshal might be unnecessary as Plaintiffs were making efforts
25 to effect service on Defendants.¹ *See* Docket No. 11 (R&R at 14 n.2).

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¹ After the filing of the report and recommendation, Plaintiffs filed an amended petition.

1 No party filed an objection to the report and recommendation. Having reviewed the report
2 and recommendation, as well as all other evidence, the Court hereby adopts it. However, service by
3 the Marshal is now a moot point because Plaintiffs have served Defendants, *see* Docket No. 18 (in
4 motion filed by government, conceding service on November 25, 2013), and Defendants have now
5 appeared in this action.

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7 IT IS SO ORDERED.

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9 Dated: January 10, 2014

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EDWARD M. CHEN
United States District Judge

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